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COMMENTS ON EXAMINER'S REASONS FOR ALLOWANCE
PLEASE DELIVER TO PUBLICATIONS BRANCH
APPLICATION NO. 09/671,350
ISSUE FEE PAID ON OCTOBER 5, 2004

U.S. Patent Application 09/671,350
Inventors: Robert D. EDWARDS et al.
Filed: September 27, 2000
Title: Method and Apparatus For Delivery Of Data Over A Network
Group Art Unit: 2153
Examiner: J. R. Brancolini
Attorney Docket: 052401-5001

Dear Sir/Madam:

We paid the issue fee in the above case on October 5, 2004, however, Applicants' Comments on the Examiner's Reasons for Allowance were inadvertently not included with the Issue Fee Payment.

I called the Examiner to ask whether our Comments on Reasons for Allowance could still be added to the file. He indicated that the comments could be sent, but it would best to have them sent to the central fax number. Accordingly, we are enclosing our comments on the Examiner's Reasons for Allowance for U.S. Application No. 09/671,350. These comments should be placed in the file

Sincerely,
James L. Reed
Reg. No. 43,877

1-WA/2271547.1

Attorney Docket No: 052401-5001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)

Robert D. EDWARDS et al.)

Application No.: 09/671,350)

Filed: September 27, 2000)

For: METHOD AND APPARATUS FOR
DELIVERY OF DATA OVER A
NETWORK)

Examiner: J. R. Brancolini

Group Art Unit: 2153

Confirmation No.: 6553

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

COMMENTS ON EXAMINER'S REASONS FOR ALLOWANCE

In response to the Statement of Reasons for Allowance dated March 18, 2002, Applicants submit the following comments.

Applicants believe that the Reasons for Allowance indicate some, but not all of the reasons why the claims were allowed over the prior art. Additionally, Applicants reiterate that the dependent claims recite limitations which further distinguish over the art of record. Moreover, while Applicants believe that all of the claims are allowable and patentably distinguish over the prior art, Applicants do not acquiesce that patentability resides in each of the listed features, exactly as expressed in the claims, nor that each and every feature is required for patentability.

While Applicants do not necessarily disagree with the Examiner's characterization of the art of record, Applicants wish to point out that the limitation "means for . . . creating screen images" is by no means limited to software that creates "screen shots". This conclusion is readily apparent if one reads the claims in light of the prosecution history and specification,

1-WA/1763081.1

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PATENT APPLICATION
Attorney Docket No.: 052401-5001
US. Patent Application No. 09/671,350

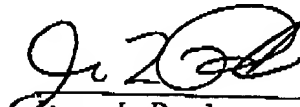
which provide, for example, an executable that is capable of producing three dimensional, user-definable images based on information contained in the files.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Date: October 7, 2004

By:



James L. Reed

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